



## **Massage Parlours in Condos - Illegal Activities**

By Denise Lash on January 12, 2011

Recent news of massage parlours spreading into residential buildings, should be a wakeup call to condominium directors and managers who may not be monitoring the activities in their condominium communities.

Massage parlours and brothels are not new to condominium buildings. I dealt with a brothel in a high-rise condominium in Scarborough around 15 years ago. One of the directors saw an ad in the newspaper for certain "services" with the address of the condominium right in the ad! Management had noticed over the course of many months, the male traffic going in and out of the unit. We dealt with this one as a contravention of the single-family residence provision in the declaration ie. no work activity can be carried out in the unit. Fortunately we didn't have to get into proving "illegal activity" which is not always easy to do and once the resident (tenant) and the owner of the unit received the letter, the tenant moved out shortly thereafter.

Boards should be reviewing the Declaration to see whether residential units can be used for "work" purposes. There are many condominium corporations in the City of Toronto that are live-work units, so that boards will have to approach these types of situations differently. Police should always be called in when management or the board suspects that there are illegal activities going on. If the police do not assist, management will have to ensure that records of the traffic going in and out of the unit and other activities that may be associated with the use of the unit ie. loitering, violence, damage are kept in the unit's file so that legal counsel will have enough evidence to pursue a court application if necessary. If the situation is such that there may be a risk to individuals or the property, Section 117 of the *Condominium Act* entitles the Corporation to bring an application to the courts to get a compliance order.

Corporations should review whether there are systems in place so that if time comes that a unit is used for illegal purposes, that proper evidence can be obtained. This may include the installation of security cameras and other measures that assist in monitoring visitors to the unit.

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